

4500

1 BILL NO. Z-79-06- 06

2 ZONING MAP ORDINANCE NO. Z- 20-79

3 AN ORDINANCE amending the City of
4 Fort Wayne Zoning Map No. K7 & L7

5 BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE,
6 INDIANA:

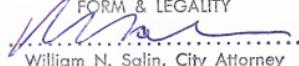
7 SECTION 1. That the area described as follows is hereby designated
8 a R1 District under the terms of Chapter 33, Municipal Code of the City of
9 Fort Wayne, Indiana, 1974; and the symbols of the City of Fort Wayne Zoning
10 Map No. K7 & L7, referred to therein, established by Section 33-11, of said
11 Chapter are hereby changed accordingly, to wit:

12 Lots 71 thru 98 Nindes Addition; East 69.5' of
13 Lots 1 & 2 and Lots 4 thru 21 Kuhne & Heaton's
14 Addition; Lots 1 thru 4 O. S. Hanna's Addition;
15 Lots 1 thru 12 in VonKahlden's Addition; Lots
16 1 thru 10 VonKahlden's 2nd Addition; Lots 89
17 thru 92 in Federal 11th Addition; Lots 140 thru
18 148 and Lots 155 thru 165 in W. J. & M. S. Vesey's
19 3rd Addition; East 76' of Lots 74 & 75, Lots 80
20 thru 111, East 105' of Lots 114 & 115, East 50'
21 of Lot 116, Lots 120 thru 135 and Lots 138 & 139
22 in W. J. & M. S. Vesey's 2nd Addition.

23 SECTION 2. That this Ordinance shall be in full force and effect
24 from and after its passage, approval by the Mayor and legal publication
25 thereof.

26 Samuel J. Talarico
27 Councilman

28 APPROVED AS TO
29 FORM & LEGALITY

30 
31 William N. Salin, City Attorney

Read the first time in full and on motion by Jelencic; seconded by Hinga, and duly adopted, read the second time by title and referred to the Committee on Regulation (and the City Plan Commission for recommendation) and Public Hearing to be held after due legal notice, at the Council Chambers, City-County Building, Fort Wayne, Indiana, on _____, the _____ day of _____, 19____, at _____ o'clock M., E.S.T.

DATE: 6-12-79.

Charles W. Westerman
CITY CLERK

Read the third time in full and on motion by Jelencic, seconded by Hinga, and duly adopted, placed on its passage.

PASSED (LOST) by the following vote:

	AYES	NAYS	ABSTAINED	ABSENT	TO-WIT:
TOTAL VOTES	<u>7</u>	<u>0</u>	_____	<u>2</u>	_____
BURNS	<u>/</u>	_____	_____	_____	_____
HINGA	<u>/</u>	_____	_____	_____	_____
HUNTER	_____	_____	_____	<u>/</u>	_____
MOSES	<u>/</u>	_____	_____	_____	_____
NUCKOLS	_____	_____	_____	<u>/</u>	_____
SCHMIDT, D.	<u>/</u>	_____	_____	_____	_____
SCHMIDT, V.	<u>/</u>	_____	_____	_____	_____
STIER	<u>/</u>	_____	_____	_____	_____
TALARICO	<u>/</u>	_____	_____	_____	_____

DATE: 8-14-79.

Charles W. Westerman
CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as
(ZONING MAP) (GENERAL) (ANNEXATION) (SPECIAL) (APPROPRIATION) ordinance ORDINANCE
(RESOLUTION) No. 3-20-79. on the 14th day of August, 1979.
ATTEST: (SEAL)

Charles W. Westerman
CITY CLERK

Winfield C. Mayo Jr.
PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 15th day of August, 1979, at the hour of 11:30 o'clock M., E.S.T.

Charles W. Westerman
CITY CLERK

Approved and signed by me this 20th day of August, 1979
at the hour of 9 o'clock 9 M., E.S.T.

Ronald G. Henshaw
MAYOR

RESOLUTION OF ZONING ORDINANCE AMENDMENT RECOMMENDATION

WHEREAS, the Common Council of the City of Fort Wayne, Indiana, on June 12, 1979 referred a proposed zoning map amendment to the City Plan Commission which proposed ordinance was designated as Bill No. Z-79-06-06; and,

WHEREAS, the required notice of public hearing on such proposed ordinance has been published as required by law; and,

WHEREAS, the City Plan Commission conducted a public hearing on such proposed ordinance on July 16, 1979;

NOW THEREFORE, BE IT RESOLVED that the City Plan Commission does hereby recommend that such proposed ordinance DO PASS for the reasons that a need has been shown for the Land Use Plan to be amended, the amendment will be in the best interest of and benefit to the area involved and of and to the City, and the amendment will not be detrimental to and does not conflict with the overall City Plan;

BE IT FURTHER RESOLVED that the Secretary is hereby directed to present a copy of this resolution to the Common Council at its next regular meeting.

This is to certify that the above is a true and exact copy of a resolution adopted at the meeting of the Fort Wayne City Plan Commission held July 23, 1979.

Certified and signed this
25th day of July 1979.



Thomas G. Adams
Secretary

Z-79-06-06

Bill No.

REPORT OF THE COMMITTEE ON REGULATIONS

We, your Committee on Regulations to whom was referred an Ordinance amending the City of Fort Wayne Zoning Map No. K7 & L7

have had said Ordinance under consideration and beg leave to report back to the Common
Council that said Ordinance *[initials]* PASS.

RECORDED WITH STATEMENT _____

JOHN NUCKOLS - CHAIRMAN

SAMUEL J. TALARICO - VICE CHAIRMAN

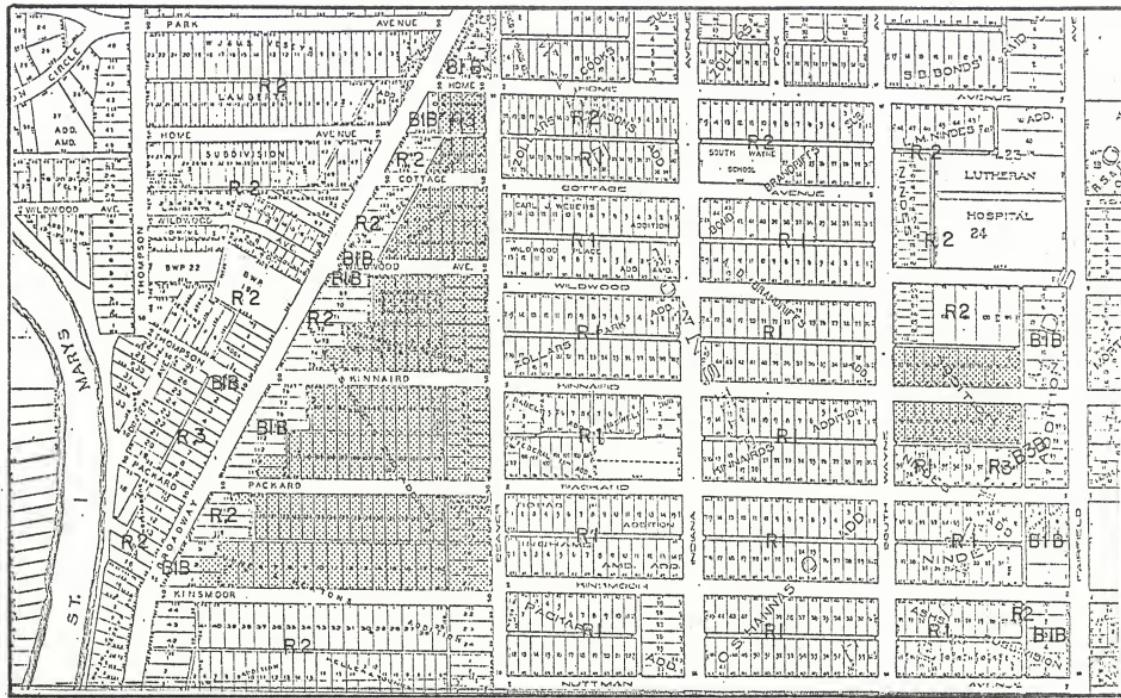
VIVIAN G. SCHMIDT

JAMES S. STIER

WILLIAM T. HINGA

8-14-74 CONCURRED IN
DATE CHARLES W. WESTE

DATE CHARLES W. WESTERMAN, CITY CLERK



CHANGE FROM R2,R3,BIB & B3B TO RI

N

Map No. K7& L7

Z-79-06-06

RECEIVED NO. _____ Date Filed _____

Intended Use NEIGHBORHOOD
DOWNSIZING

I/We LUCILLE WAYNE NEIGHBORHOOD ASSOC.
(Applicant's Name or Names)

do hereby petition your Honorable Body to amend the Zoning Map of Fort Wayne, Indiana, by reclassifying from a/an R-1 District to a/an R-1 District the property described as follows:

HINES ADDITION - Lots 71 thru 98

KUHNE & HEATONS ADDITION - EAST 69.5' OF LOTS 1&2 AND LOTS 4THRU21

O.S. HANNA'S LOTS 1 THRU 4

VON KAHLOEWS ADDITION LOTS 1 THRU 12

VON KAHLOEWS 2ND ADDITION LOTS 1THRU10

FEDERAL 11th ADDITION LOTS 89 THRU 92

W.L. & M.S. VESSEYS 3RD ADDITION LOTS 140 THRU 148 & 155 THRU 165
(Legal Description) If additional space is needed, use reverse side.

W.L. & M.S. VESSEYS 2ND ADDITION - E. 76' OF LOTS 144&145, E. 60'

OF LOTS 144, LOTS 140 THRU 145, AND 138 & 139 LOTS 80 THRU 111, EAST

105' OF LOTS 114&115, EAST 50' OF LOT 116, LOTS 120 THRU 135, AND LOTS 138 & 139
(General Description for Planning Staff Use Only)

I/We, the undersigned, certify that I am/We are the owner(s) of fifty-one percentum (51%) or more of the property described in this petition.

SEE ATTACHED PETITIONS

(Name) _____ (Address & Zip Code) _____ (Signature) _____
(If additional space is needed, use reverse side)

Legal Description checked by _____

NOTE FOLLOWING RULES

All requests for continuances or requests that ordinances be taken under advisement shall be filed, in writing, in the office of Community Development and Planning, by noon on the Wednesday preceding the meeting of the City Plan Commission at which the ordinance is to be considered. If the request for a continuance or advisement is filed within the required time, the matter will not be put on the agenda for the meeting. It shall be the obligation of the petitioner to notify the same property owners which the Plan Commission had notified by mail that the hearing has been postponed or rescheduled and inform them of the time and place of the meeting at which the ordinance will be considered. All withdrawals of the ordinances must be made in writing prior to the Plan Commission's vote on the ordinance. (FILING FEE: \$50.00)

Name and address of the preparer, attorney or agent.

John J. Irwin 4122 Buell Dr. 46807 744-1463
(Name) (Address & Zip code) (Telephone Number)

COMMUNITY DEVELOPMENT AND PLANNING / Division of Long Range Planning and Zoning (CITY PLAN COMMISSION) / Room # 830, City-County Building, One Main Street / Fort Wayne, Indiana 46802 (Phone: 423-7571)

Applicants, Property owners and preparer shall be notified of the Public Hearing approximately ten (10) days prior to the meeting.

Legal Description of property to be rezoning

Owners of Property

1. *What is the name of your school?*
2. *What is the name of your teacher?*
3. *What is the name of your class?*

(Name)

(Address & Zip Code)

(Signature)

REZONING TO R1

SOUTH WAYNE NEIGHBORHOOD ASSOCIATION

- + (1) NINDES ADDITION - 71-98
- + (2) KUHNE & HEATONS ADDITION EAST 69.5' OF LOTS
1&2 AND LOTS 4 THRU 21.
- + (3) O.S. HANNAS LOTS 1 THRU 4
- + (4) VONKAHLDENS ADDITION LOTS 1 THRU 12
- + (5) VONKAHLDENS 2ND ADDITION LOTS 1 THRU 10
- + (6) FEDERAL 11TH ADDITION LOTS 89-92
- (7) W.J. & M.S. VESEYS 2ND ADDITION - E 76' OF LOTS
74 & 75, LOTS 80 THRU 111, EAST 105' OF LOTS
114 & 115, EAST 50' OF LOT 116, LOTS 120 THRU 135, ^{AND} _{LOTS 138+139}
- + (8) W.J & M.S. VESSEYS 3RD ADDITION LOTS 140 THRU
148, 155 THRU 165, ~~168~~

4500

Admn. Appr. _____

DIGEST SHEET

TITLE OF ORDINANCE Zoning Ordinance Amendment 3-75-06-06

DEPARTMENT REQUESTING ORDINANCE Long Range Planning & Zoning - CD&P

SYNOPSIS OF ORDINANCE Lots 71 thru 98 Nindes Addition; East 69.5' of Lots 1 & 2 and Lots 4 thru 21 Kuhne & Heaton's Addition; Lots 1 thru 4 O.S. Hanna's Addition; Lots 1 thru 12 in VonKahlden's Addition; Lots 1 thru 10 VonKahlden's 2nd Addition; Lots 89 thru 92 in Federal 11th Addition; Lots 140 thru 148 & Lots 155 thru 165 in W.J. & M.S. Vesey's 3rd Addition; E 76' of Lots 74 & 75, Lots 80 thru 11, East 105' of Lots 114 & 115, East 50' of Lot 116, Lots 120 thru 135 & Lots 138 & 139 in W.J. & M.S. Vesey's 2nd Addition.

EFFECT OF PASSAGE Property is now zoned R2 - Two Family Residential; R3 - Multiple Family Residential; B1B - Limited Business; and B3B - General Business. Property will become R1 - One Family Residential.

EFFECT OF NON-PASSAGE Property will remain R2, R3, B1B & B3B.

MONEY INVOLVED (Direct Costs, Expenditures, Savings) _____

ASSIGNED TO COMMITTEE (J.N.) _____



OFFICE OF THE CITY CLERK

THE CITY OF FORT WAYNE

CITY-COUNTY BUILDING • ONE MAIN STREET • FORT WAYNE, INDIANA 46802

charles w. westerman, clerk :: room 122

August 21, 1979

Ms. Virginia Grace
Fort Wayne Newspapers, Inc.
600 West Main Street
Fort Wayne, IN 46802

Dear Ms. Grace:

Please give the attached full coverage on the dates August 27 and September 3, 1979, in both the News Sentinel and Journal Gazette.

RE: Legal Notice for Common Council
of Fort Wayne, Indiana

Zoning Map Ordinance:

Bill No. Z-79-06-06
Zoning Map Ordinance No. Z-20-79

Please send us (5) copies of the Publisher's Affidavit from both newspapers.

Thank you.

Sincerely,

Charles W. Westerman
Charles W. Westerman
City Clerk

CWW/ne
ENCL: 1

LEGAL NOTICE

Notice is hereby given that on the 14th day of August, 1979, the Common Council of the City of Fort Wayne, Indiana in Regular Session did pass the following Bill No. Z-79-06-06 -- Zoning Map Ordinance No. Z-20-79, being AN ORDINANCE amending the City of Fort Wayne Zoning Map No. K7 & L7

I, Charles W. Westerman, Clerk of the City of Fort Wayne, Indiana do hereby certify that Bill No. Z-79-06-06 -- Zoning Map Ordinance No. Z-20-79, was passed by the Common Council on the 14th day of August, 1979, said Ordinance was duly signed and approved by the Mayor on the 20th day of August, 1979, and now remains on file and on record in my office.

Copy of Bill No. Z-79-06-06 -- Zoning Map No. Z-20-79 will be posted for reading in the following places in Fort Wayne Allen County, Indiana.

- (1) The main floor lobby of the City-County Building
- (2) The bulletin board in the lobby of the Downtown Fort Wayne Public Library
- (3) The bulletin board in the lobby at the East door of the Allen County Court House

Copy of Bill No. Z-79-06-06 -- Zoning Map No. Z-20-79 will be available for reading in the following places in Fort Wayne, Allen County, Indiana

- (1) The Reference Room in the north end of the main floor in said Downtown Public Library
- (2) The Journal of the Common Council Proceedings in the Office of the City Clerk of Fort Wayne, Indiana, Room 122, City-County Building, Fort Wayne, Indiana

Charles W. Westerman
Charles W. Westerman - City Clerk

I, Charles W. Westerman, Clerk of the City of Fort Wayne, Indiana fulfilled and posted the above ordinance in the designated places as stated on August 27, 1979.

Charles W. Westerman
Charles W. Westerman - City Clerk

Common Council of Fort Wayne
(Governmental Unit)

Allen

County, Ind.

To **JOURNAL-GAZETTE** Dr.**FORT WAYNE, INDIANA****PUBLISHER'S CLAIM****LINE COUNT**

Display Matter (Must not exceed two actual lines, neither of which shall total more than four solid lines of the type in which the body of the advertisement is set) — number of equivalent lines

Head number of lines

51

Body number of lines

2

Tail number of lines

53

Total number of lines in notice

COMPUTATION OF CHARGES

53 lines, 1	columns wide equals 53 equivalent lines at . 259	\$ 13.73
cents per line				

Additional charge for notices containing rule or tabular work (50 per cent of above amount)

Charge for extra proofs of publication (50 cents for each proof in excess of two)

1.50**15.23****TOTAL AMOUNT OF CLAIM.**\$ **15.23****DATA FOR COMPUTING COST**Width of single column 9.9 ems Size of type **5 1/2** pointNumber of insertions **2** Size of quad upon which type is cast **5 1/4**

Pursuant to the provision and penalties of Ch. 89., Acts 1967.

I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid.

Sept. 3, 1979

Title CLERK

*Arvilla DeWald***PUBLISHER'S AFFIDAVIT**

State of Indiana SS:

ALLEN County SS: Personally appeared before me, a notary public in and for said county and state, the undersigned **ARVILLA DEWALD** who, being duly sworn, saysthat she is **CLERK** of the **JOURNAL-GAZETTE** of thea **DAILY** newspaper of general circulation printed and publishedin the English language in the city of **FORT WAYNE, INDIANA** townin state and county aforesaid, and that the printed matter attached hereto is a true copy, which was duly published in said paper for **two times**, the dates of publication beingas follows: **8/27 - 9/3/79**

3rd September 1979
Subscribed and sworn to before me this **September 26, 1979** day of **September**, 1979
Notary Public

at the East door of the Allen County

Court House, Fort Wayne, Indiana

Copy of Bill No. Z-79-06-06 — Zoning Map No. Z-20-79 will be available for reading in the following places in Fort Wayne, Indiana:

(1) The Reference Room in the north end of the main floor in said Division of Public Library.

(2) The Journal or the Common Council Proceedings in the Office of the City Clerk of Fort Wayne, Indiana, Room 128, First National Building, Fort Wayne, Indiana.

CHARLES W. WESTERMAN

Clerk of the City of Fort Wayne, Indiana

I, Charles W. Westerman, Clerk of the City of Fort Wayne, Indiana fully certify that the above ordinance in the designated places as stated on August 27, 1979.

CHARLES W. WESTERMAN

City Clerk

8/27/79

Common Council of Fort Wayne

(Governmental Unit)

Allen

County, Ind.

To NEWS-SENTINEL Dr.

FORT WAYNE, INDIANA

PUBLISHER'S CLAIM

LINE COUNT

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TOTAL AMOUNT OF CLAIM,

1.50

\$ 15.23

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Size of type..... 5 1/2 point

Number of insertions 2

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I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid.

Date _____

Title CLERK

Notice is hereby given that on the 14th day of August, 1979, the Common Council of the City of Fort Wayne, Indiana, Read the Sentinel did pass the following Bill No. Z-79-06-06 – Zoning Map Ordinance No. Z-79-06-06 – AN ORDINANCE amending the City of Fort Wayne Zoning Map No. K7 & L7.

I, Charles W. Westerman, Clerk of the Common Council of Indiana do hereby certify that Bill No. Z-79-06-06 – Zoning Map Ordinance No. Z-79-06-06 – AN ORDINANCE of the Common Council on the 14th day of August, 1979, said Ordinance was duly signed and approved by the Mayor of Fort Wayne, Indiana, and now remains on file and on record in my office.

Copies of Bill No. Z-79-06-06 – Zoning Map No. Z-79-06-06 will be posted for reading in the following places in Fort Wayne Allen County, Indiana.

(1) The main floor lobby of the City-County Building in the lobby of the Downtown of Fort Wayne Public Library.

(2) The bulletin board in the lobby at the East door of the Allen County Court House.

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(3) The room in the north end of the main floor in said Downtown Public Library.

Journal of the Common Council Proceedings of the Common Council Clerk of Fort Wayne, Indiana, Room 122, City-County Building, Fort Wayne, Indiana.

CHARLES W. WESTERMAN
City Clerk
Common Council Clerk of the City of Fort Wayne, Indiana, fulfilled and posted the above ordinance in the aforesaid places as stated on August 27, 1979.

CHARLES W. WESTERMAN
City Clerk

PUBLISHER'S AFFIDAVIT

State of Indiana

ALLEN County Ss:

Personally appeared before me, a notary public in and for said county and state, the undersigned..... V. E. GERKEN who, being duly sworn, says that she is..... CLERK

NEWS-SENTINEL

a..... DAILY newspaper of general circulation printed and published in the English language in the city of FORT WAYNE, INDIANA town.....

in state and county aforesaid, and that the printed matter attached hereto is a true copy, which was duly published in said paper for two times, the dates of publication being as follows:

8/27 - 9/3/79

Subscribed and sworn to before me this 3rd day of September 1979

Notary Public

September 28, 1979

Common Council of Fort Wayne

(Governmental Unit)

Allen

County, Ind.

To.....NEWS-SENTINEL.....Dr.

FORT WAYNE, INDIANA

PUBLISHER'S CLAIM

LINE COUNT

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TOTAL AMOUNT OF CLAIM.

\$ 15.23

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Number of insertions 2	Size of quad upon which type is cast 5 1/2

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I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid.

Date Sept. 3 19 79

Title.....CLERK.....

PUBLISHER'S AFFIDAVIT

State of Indiana

ALLEN County SS:

Personally appeared before me, a notary public in and for said county and state, the undersigned.....V.E. GERKEN..... who, being duly sworn, says that she is.....CLERK..... of the

NEWS-SENTINEL

DAILY

a..... newspaper of general circulation printed and published in the English language in the city of FORT WAYNE, INDIANA

in state and county aforesaid, and that the printed matter attached hereto is a true copy, which was duly published in said paper for two times, the dates of publication being as follows:

8/27 - 9/3/79

Subscribed and sworn to before me this 3rd day of September 19

Notary Public

September 28, 1979

My commission expires.....

Alexander Glazner, Warden
Housing Authority
The bulletin board in the lobby
of the Downtown Fort Wayne Public
Library
(3) The bulletin board in the lobby
and East door of the Allen County
Court House
Copy of Bill No. Z-79-06-06 — Zon-
ing Map No. 2-20-A will be available
for inspection in the following places in
Fort Wayne, Allen County, Indiana:
(1) The Reference Room in the
main branch of the public library in said
Downtown Public Library
(2) The Journal of the Common
Council Proceedings in the Office of
the City Clerk, Fort Wayne, Indiana,
Room 122, City County Building,
Fort Wayne, Indiana
CHARLES W. WESTERMAN
CHARLES W. WESTERMAN
Clerk of the City of Fort Wayne, Indiana ful-
filled his/her duty to publish the above ordi-
nance in the designated places as
stated on August 27, 1979.
CHARLES W. WESTERMAN
City Clerk